REMARKS

Applicant thanks the Office for its indication that claims 38, 40 and 42 contain allowable subject matter. In response to the above-identified Office Action, Applicants have amended claims 1, 7, 13, 19, 25 and 31 as shown above, added claims 43-54 as shown above, and submitted a set of formal drawings. Support for the amendments to the claims and added claims can be found at page 16, line 16 through page 18, line 11; and page 41, lines 13 through page 43, line 20; and claims 38, 40 and 42 in the above-identified application. Accordingly, no new matter has been added. In view of these above amendments and the following remarks, Applicants hereby request further examination and reconsideration of the application, and allowance of claims 1-54.

The Office has objected to the drawings under 37 C.F.R. § 1.84 for having minor informalities. The Office requires a set of corrected drawings remedying the noted informalities. In response, Applicant submits a complete set of formal drawings that addresses all of the informalities noted by the Office concurrently herewith. No new matter has been submitted. Accordingly, Applicant respectfully requests that the Office reconsider and withdraw this object to the drawings.

The Office has rejected claims 1, 5, 7-10, 12-13, 17, 19-22, 24-25, 29, 31-34, 36-37, 39 and 41 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,920,866 to Crim ("Crim"); claims 2-4, 14-16 and 26-28 under 35 U.S.C. § 103(a) as being unpatentable over Crim in view of U.S. Patent No. 5,832,494 to Egger et al. ("Egger"); claims 6, 18 and 30 under § 103(a) as being unpatentable over Crim in view of Myers; and claims 11, 23 and 35 under § 103(a) as being unpatentable over Crim in view of Subramaniam. The Office asserts that Crim discloses a system and process for retrieving data comprising: selecting one of a plurality of electronic records search requests to execute next based upon one or more selection criteria (col. 5, lines 11-22; col. 6, lines 1-12; col. 8, lines 40-51); executing the selected electronic records search request and retrieving at least one electronic record from at least one storage location during the executing (col. 6, lines 1-12); parsing the electronic records to convert one or more raw data sets into user-selectable objects (col. 6, lines 13-26; col. 7, lines 30-39; col. 7, lines 30-39; col. 7, line 64 through col. 8, line 9; col. 8, lines 40-51); and causing the user-selectable objects to be displayed (col. 8, lines 10-14; col. 8, lines 40-51). In response, Applicants have amended claims 1, 13 and 25 as shown herein and submit the following remarks.

Neither Crim, Egger, Myers, nor Subramaniam, alone or in combination, suggest or disclose, "selecting one of a plurality of stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria," as recited in claims 1 and 25, or a "processor ... selecting one of a plurality of stored electronic records search requests from a queued search database to execute next based upon one or more selection criteria," as recited in claim 13. The Office's attention is respectfully directed to col. 6, lines 3-4 and FIG. 3 in Crim, which discloses that a user may search for particular records that match a set of search criteria. The user enters the search criteria in the fields 304, 306, 308, 310 and 314 of the interface 302 and the search is executed, as disclosed at col. 5, lines 52-58; and col. 6, lines 1-4. Once the search is executed and the records matching the search criteria are found, the user can work on the records, as disclosed at col. 6, lines 5-6. However, Crim does not teach or suggest that stored search criteria are selected from a search database for execution based on any search selection criteria, as claimed. Crim only discloses the searches being conducted at the time they are requested.

The Office's attention is now directed to Egger at FIGS. 1, 2 and 4A; and col. 11, lines 49-52, which disclose a CSPDM subroutine 66 executing searches for objects in a database 54 according to instructions that the user enters into a computer processor 30 via an input means. The CSPDM 66 then retrieves the requested objects and relays the requested objects to a GUI program (or the processor 30) for presentation on the display 38. Egger does not disclose or suggest, however, selecting stored search instructions for a search of database 54 based on search selection criteria. Egger discloses the CSPDM 66 simply retrieving the requested objects when the objects are requested.

The Office's attention is now directed to Myers at col. 10, lines 1-4 and FIG. 5, which disclose searches for patient records being conducted. A search is initiated for a patient's chart using search criteria and a lookup table is referenced to find and retrieve the records, as disclosed at col. 10, lines 4-7. The records are then assembled into a chart and the chart is presented to the provider, as disclosed at col. 10, lines 19-20 and lines 26-27. However, Myers does not teach or suggest that the searches for the patient records are selected from a search database for execution based on search selection criteria. Rather, the searches for the patient records are conducted as soon as the search is initiated.

Referring to Subramaniam at col. 5, lines 15-42; col. 6, lines 4-7; and FIG. 2, a management program 26 accepts query requests which are performed by remote databases 30. A user enters query requests into blanks 46 in a page 45 displayed by the user's browser 22, as disclosed at col. 5, lines 23-27. After the user fills in the blanks 46 in the page 45, the user's query information is sent to a server 25, as disclosed at col. 5, lines 38-42. Remote databases 30 perform the requested searches and the results are sent back to a server 18, as disclosed at col. 6, lines 4-7. The results are translated and provided to the user, as disclosed at col. 6, lines 17-23. However, Subramaniam does not disclose or suggest that the management program 26 selects stored query requests from a search database for execution based on search selection criteria. As noted above, the query information is sent to a server 25 and the remote databases 30 performs the search.

As discussed at page 4, lines 18-19 in the above-identified application, one of the several advantages of the present invention is that the invention has the capability of selectively executing stored search requests from a search database. Since many users will often concurrently submit search requests, the search requests that cannot be serviced by the search server 110 at a particular time are stored in a search database 410 to be selected for later execution at a point when the server 110 is able to execute the search request, as discussed in the above identified application at page 14, lines 1-20. Further, storing the search requests for later execution enables users to go about performing other tasks or to submit additional search requests. Referring now to page 19, line 8 through page 20, line 23 in this application, the search requests are selected for execution based on a number of factors. Selecting the searches based on these factors enables the search server 110 to execute searches in a more efficient manner. In view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejections of claims 1, 13 and 25. Since claims 2-12, 43 and 46 depend from and contain the limitations of claim 1, claims 14-24, 44 and 47 depend from and contain the limitations of claim 13, and claims 26-36, 45 and 46 depend from and contain the limitations of claim 25, they are patentable in the same manner as claims 1, 13 and 25.

Additionally, neither Crim, Egger, Myers, nor Subramaniam, alone or in combination, disclose or suggest, "wherein one or more of the stored search requests are stored in a search database when the search request cannot be executed at the time the search

request is made," as recited in claims 43-45. The Office's attention is respectfully directed to col. 6, lines 3-4 and FIG. 3 in Crim, which discloses that a user may search for particular records that match a set of search criteria. As described above, the user enters the search criteria in the fields 304, 306, 308, 310 and 314 of the interface 302 and the search is executed, as disclosed at col. 5, lines 52-58; and col. 6, lines 1-4. However, Crim does not teach or suggest the possibility of the search not being able to be executed, let alone storing the search criteria in a search database when the search cannot be executed. Again, Crim only discloses the searches being conducted at the time they are requested.

The Office's attention is now directed to Egger at FIGS. 1, 2 and 4A; and col. 11, lines 49-52, which disclose a CSPDM subroutine 66 executing searches for objects in a database 54 according to instructions that the user enters into a computer processor 30 via an input means. As described above, the CSPDM 66 retrieves the requested objects and relays the requested objects to a GUI program (or the processor 30) for presentation on the display 38. However, Egger does not teach or suggest the processor 30 ever being unable to execute the search, let alone storing the search instructions in a search database when they can not be executed. Again, Egger only discloses executing the searches for objects in the database 54 when they are requested.

The Office's attention is now directed to Myers at col. 10, lines 1-4 and FIG. 5, which disclose searches for patient records being conducted. As described above, a search is initiated for a patient's chart using search criteria, a lookup table is referenced to find and retrieve the records, the records are assembled into a chart, and then the chart is presented to the provider, as disclosed at col. 10, lines 4-7; col. 10, lines 19-20; and lines 26-27. However, Myers does not teach or suggest that it is possible a patient record search might not be able to be conducted, let alone storing patient record search in a search database when the search cannot be conducted. Again, Myers only discloses the searches for the patient records being conducted as soon as the search is initiated.

Referring to Subramaniam at col. 5, lines 15-42; col. 6, lines 4-7; and FIG. 2, a management program 26 accepts query requests which are performed by remote databases 30. As described above, a user enters query requests into blanks 46 in a page 45, the user's query information is sent to a server 25, remote databases 30 perform the requested query

request, the results are sent back to a server 18, and the results are then translated and provided to the user, as disclosed at col. 5, lines 23-27; col. 5, lines 38-42; col. 6, lines 4-7; and col. 6, lines 17-23. However, Subramaniam does not disclose or suggest that the remote databases 30 may not be able to perform the requested query requests, let alone the requested query requests being stored in a search database when they cannot be performed. As noted above, Subramaniam only discloses the remote databases 30 performing the query requests after the query information is sent to a server 25.

As discussed above in connection with page 4, lines 18-19 in the above-identified application, sometimes many users will concurrently submit search requests and the search server 110 may not be able to perform all of the concurrently submitted search requests. Thus, the present invention advantageously stores the search requests in a search database 410 to be selected for later execution at a point when the server 110 is able to execute the search request, as discussed in the above identified application at page 14, lines 1-20. Storing the search requests for later execution enables users to go about performing other tasks or to submit additional search requests. Referring now to page 19, line 8 through page 20, line 23 in this application, the stored search requests are selected for execution based on a number of factors. Selecting the searches based on these factors enables the search server 110 to execute searches in a more efficient manner. In view of the foregoing remarks, Applicant respectfully submits that claims 43-45 are distinguishable over the cited references and are patentable for these additional reasons.

Additionally, neither Subramaniam, Crim, Egger, nor Myers, alone or in combination, disclose or suggest, "determining at least one data parsing algorithm that should be used for parsing the retrieved electronic records based upon a content of the retrieved electronic records," as recited in claims 7, 19 and 31. As described above in connection with Subramaniam at col. 5, lines 15-42; col. 6, lines 4-23; and FIG. 2, a management program 26 accepts query requests, the query information associated with the query request is sent to a server 25, remote databases 30 perform the requested query request, the results are sent back to a server 18, and the results are then translated and provided to the user. To translate the results, an application communicating program 70 receives the results 74 from the databases 30 and forwards the results 74 to a results translator routine 80, as disclosed at col. 6, lines 7-11. The translator routine 80 collects, collates, and interprets the results back into an HTML

format, as disclosed at col. 6, lines 10-14. Further, the translator routine 80 may include separate translation modules 81-85, as disclosed at col. 6, lines 14-17. Each of the modules 81-85 translates the results they receive from a particular separate remote databases 30. However, the application communicating program 70 does not determine which of the translation modules 81-85 should be used to translate the results 74 based upon the content of the results 74. The application communicating program 70 simply forwards the results 74 to one of the translation modules 81-85 based on which one of the databases 30 the results 74 were received from and the database 30 one of the translation modules 81-85 is associated with.

As described above in connection with Crim at col. 6, lines 3-4, a user can search for particular records that match a set of criteria using an interface 302. Once the records are found, the user may work on the set of found records, as disclosed at col. 6, lines 5-6. However, Crim does not teach nor suggest determining which of at least one data parsing algorithm should be used for parsing the found records based upon a content of the records, as claimed. Referring now to col. 9, lines 36-38 and FIG. 5F in Crim, a user selects a field 308 to cause a value list 513 to be displayed. The value list 513 is displayed as a list representing choices of attorney names that may be selected by the user to cause the name to be entered into the field 306, as disclosed at col. 9, lines 38-39. First, the names in the value list 513 are not records that are retrieved as a result of a user searching for particular records that match a set of criteria using the interface 302 as described above in reference to col. 6, lines 3-4 in Crim. Second, the names in the value list 513 are not parsed, nor is any determination made of which algorithm to use to parse the names in the list 513 based upon a content of the names. As described above, one of the names in the list 513 is simply being selected by a user to cause the name to be entered into the field 306 shown in FIG. 5F. Referring to col. 10, lines 11-12 and FIG. 6B in Crim, a user selects a field 312 to cause a value list 513 to be displayed. Here, the value list 513 is also displayed as a list representing choices of attorney names that may be selected by the user to cause the name to be entered into the field 312, as disclosed at col. 10, lines 12-13. Again, as described above in connection with FIG. 5F, the names in the value list 513 are not records that are retrieved as a result of a user searching for particular records nor are the names in the value list 513 being parsed, let alone being parsed based upon a content of the names in the list 513.

As described above in connection with Egger at FIGS. 1, 2 and 4A; and col. 11, lines 49-57, a CSPDM subroutine 66 executes searches for objects in a database 54, retrieves the requested objects from the database 54 and sends the search results to a GUI program 70 (or the processor 30) for presentation by the display 38. Further, the GUI program 70 enhances the display of the search results as disclosed at col. 11, lines 65-66. However, Egger does not teach or suggest parsing the search results using one or more data processing algorithms that are selected based upon the content of the results, as claimed. Again, Egger simply discloses sending the search results for presentation by the display 38 and enhancing the display of the search results. As described above in connection with Myers at col. 10, lines 1-7; col. 10, lines 19-20; col. 10, lines 26-27; and FIG. 5, searches for patient records in a lookup table are conducted based on search criteria, the records are retrieved, the records are assembled into a chart, and the chart is then presented to the provider. However, Myers does not disclose determining which data processing algorithm should be used to parse the records to create the chart based upon the content of the records, as claimed.

The Office is directed to page 3, lines 15-22 in the above-identified application, which states that electronic court case records may not always include markers that identify the location of the court items or documents within the records. Worse yet, records from different databases are not always stored in the same format and data inconsistencies in the records are common in view of human error making it difficult to identify indiscriminate items or documents contained within the records. As discussed at page 31, line 27 through page 32, line 7, the search server 110 selects one of several parsing methodologies to use for parsing the raw data which is appropriate for the court databases the raw data is being received from. Furthermore, this application notes on page 32, lines 23-29, "different court databases and types of courts store their electronic court records differently. Furthermore, data records received from court databases will also vary depending upon the different types of searches requested by users. Thus, search server 110 is able to parse the raw data 711 received during the execution of the court database search since it can determine which parsing methodology will be able to correctly parse the data, based on the foregoing factors." In view of the foregoing remarks, Applicant respectfully submits that claims 7, 19 and 31 are distinguishable over the cited references and are patentable for these additional reasons.

Neither Crim, Egger, Myers, nor Subramaniam, alone or in combination, suggest or disclose, "evaluating one or more electronic records search requests using one or more search selection criteria ... selecting one of the electronic records search requests to execute next based upon the evaluation," as recited in claims 49 and 51, or "a search evaluation system that evaluates one or more electronic records search requests using one or more search selection criteria ... a search selection system that selects one of the electronic records search requests to execute next based upon the evaluation," as recited in claim 53. As described above in connection with Crim at col. 5, lines 52-58; col. 6, lines 1-4; and FIG. 3, a user may search for particular records matching a set of search criteria entered in fields 304, 306, 308, 310 and 314 of an interface 302, and the search is executed. However, Crim does not teach or suggest evaluating the records search based on search selection criteria and selecting a search to execute based on the evaluation. As discussed above, Crim only discloses the searches being conducted when they are requested without any evaluation of the searches before they are performed. Further, Crim does not disclose selecting any searches over any other searches based on any criteria.

As discussed above in connection with Egger at FIGS. 1, 2 and 4A; and col. 11, lines 49-52, a CSPDM subroutine 66 executing searches for objects in a database 54 according to instructions that the user enters into a computer processor 30 via an input means. However, Egger does not teach or suggest the processor 30 evaluating the search instructions to determine which set of search instructions to execute based on any criteria. Again, Egger only discloses executing the searches for objects in the database 54 when they are requested. As described in connection with Myers at col. 10, lines 4-7; col. 10, lines 19-20; and lines 26-27, a search is initiated for a patient's chart using search criteria, a lookup table is referenced to find and retrieve the records, the records are assembled into a chart, and then the chart is presented to the provider. However, Myers does not teach or suggest evaluating the patient record searches to determine which search should be executed next based on any criteria. Again, Myers only discloses the searches for the patient records being conducted as soon as the search is initiated.

As discussed in connection with Subramaniam at FIG. 2; col. 5, lines 15-42; col. 6, lines 4-7; and col. 6, lines 17-23, a management program 26 accepts query requests which are performed by remote databases 30, the user's query information is sent to a server

25, remote databases 30 perform the requested query request, the results are sent back to a server 18, and the results are then translated and provided to the user. However, Subramaniam does not disclose or suggest that the management program 26 evaluates the query requests based on search selection criteria to determine which query request should be selected. As noted above, Subramaniam only discloses the remote databases 30 performing the query requests after the query information is sent to a server 25 without any evaluation of the query request being performed.

As discussed at page 4, lines 18-19 in the above-identified application, one of the several advantages of the present invention is that the invention has the capability of selectively executing stored search requests. Since many users will often concurrently submit search requests, the search requests that cannot be serviced by the search server 110 at a particular time are stored in a search database 410 to be selected for later execution at a point when the server 110 is able to execute the search request, as discussed in the above identified application at page 14, lines 1-20. Further, storing the search requests for later execution enables users to go about performing other tasks or to submit additional search requests. Referring now to page 19, line 8 through page 20, line 23 in this application, the search requests are selected for execution based on a number of factors. Selecting the searches based on these factors enables the search server 110 to execute searches in a more efficient manner. In view of the foregoing amendments and remarks, claims 49, 51 and 53 are distinguishable over the cited references and are patentable for these reasons. Since claim 50 depends from and contains the limitations of claim 49, claim 52 depends from and contain the limitations of claim 51, and claim 54 depends from and contains the limitations of claim 53, they are patentable in the same manner as claims 49, 51 and 53.

Additionally, neither Crim, Egger, Myers, nor Subramaniam, alone or in combination, disclose or suggest, "wherein the one or more selection criteria comprises at least one of how many times an examined electronic records search request has failed, an age of the examined electronic records search request, how busy one or more databases associated with the search data are, how many phone lines are available to access the one or more databases associated with the search data, a status of the examined electronic records search request, how many attempts have been made to execute the examined electronic records search request, when the examined electronic records search request was last updated,

and when any activity associated with the examined electronic records search request last took place," as recited in claims 50, 52 and 54. As noted above, the Office has indicated that claims 38, 40 and 42 contain allowable subject matter. Claims 50, 52 and 54 recite the allowable subject matter from claims 38, 40 and 42 as noted by the Office. In view of the foregoing remarks, Applicant respectfully submits that claims 50, 52 and 54 are distinguishable over the cited references and are patentable for these additional reasons.

In view of all of the foregoing, it is submitted that this case is in condition for allowance and such allowance is earnestly solicited. In the event that there are any outstanding matters remaining in the above-identified application, the Office is invited to contact the undersigned to discuss this application.

Respectfully submitted,

Date: February 27, 2004

John Campa

John Campa
Registration No. 49,014

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1519
Facsimile: (585) 263-1600

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Date 2/27/04 Pamela J. Litto